

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CHRISTIAN RANDOLPH,

Plaintiff

v.

**MARTIN J. CIRKIEL and CIRKIEL AND
ASSOCIATES,**

Defendants

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No. A-11-CA-406-SS

JOINT ALTERNATIVE DISPUTE RESOLUTION REPORT

TO THE HONORABLE JUDGE SAM SPARKS, U.S.D.J.:

Pursuant to Local Rule CV-88 and this Court's Scheduling Order, Plaintiff Christian Randolph ("Randolph") and Defendants Martin J. Cirkiel and Cirkiel and Associates ("Cirkiel") file this Joint Alternative Dispute Resolution Report:

1. There have been no specific offers or demands for settlement thus far in this matter.
2. Plaintiff's counsel, Donald Cheatham, is the person responsible for settlement negotiations for Plaintiff. Defendants' counsel, Michael B. Johnson, is the person responsible for settlement for Defendants.
3. Counsel for both parties hereby certify that their respective clients have been informed of the ADR procedures available in this District.
4. The parties believe that mediation may be an appropriate form of alternative dispute resolution for this case and are agreeable to proceed with mediation at an appropriate time. The parties have discussed potential mediators and believe that they will be able to select a mediator by agreement.

Respectfully submitted,

LAW OFFICE OF DONALD T. CHEATHAM

By: /s/ Donald T. Cheatham

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By: /s/ Michael B. Johnson

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that a true and correct copy of the foregoing has been delivered to all counsel of record via certified mail on this 2nd day of September, 2012:

Donald T. Cheatham
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Attorney for Plaintiff

 /s/ Michael B. Johnson